

VZCZCXYZ0001
OO RUEHWEB

DE RUEHC #4039 0450323
ZNR UUUUU ZZH
O P 140306Z FEB 09
FM SECSTATE WASHDC
TO RUEHGV/USMISSION GENEVA IMMEDIATE 0000
RUCNDT/USMISSION USUN NEW YORK IMMEDIATE 0000
INFO RUEHLO/AMEMBASSY LONDON PRIORITY 0000

UNCLAS STATE 014039

SENSITIVE
SIPDIS, GENEVA FOR CD DEL, USUN FOR POL

E.O. 12958: N/A

TAGS: [PARM](#) [MCAP](#) [UNGA](#) [CDG](#) [MASS](#) [SIPDIS](#)
SUBJECT: GUIDANCE FOR THE 2009 UN GROUP OF GOVERNMENTAL
EXPERTS FOR THE UN REGISTER OF CONVENTIONAL ARMS

REF: (A)06 STATE 31283, (B)STATE 106474

¶1. (SBU) SUMMARY: This message provides guidance for the U.S. Expert to the 2009 UN Group of Governmental Experts (GGE) on the Continuing Operation of the UN Register of Conventional Arms. The 2009 GGE will meet February 16 - 20, April 27 - May 3, and July 13-17. The February and April meetings will be held in Geneva and the July meeting in New York.

¶2. (SBU) The U.S. should continue its strong advocacy in the GGE for increased transparency on arms transfers and encouraging greater participation in the Register. In addition to its traditional role as a global confidence-building measure, the Register's equipment categories have been increasingly looked to in recent years as a template for international arms embargoes (as the UN Security Council did on North Korea and Iran). The U.S. has been a leading force in the development of the Register, including advocating for adding MANPADS to the Register and lowering the artillery threshold to 75mm in 2003.

¶3. (SBU) The overarching U.S. objective for the 2009 GGE is ensuring that the Register supports the U.S. conventional arms transfer policy goal of increasing the transparency of arms transfers. In pursuit of this objective, priority U.S. objectives for the 2009 GGE include:

- Promoting universal participation in the Register;
- Raising the profile of both the Register process and the information exchanged;
- Ensuring that the Register addresses current threats;
- Not opposing creation of a category on transfers of small arms and light weapons (SA/LW);
- Increasing support for the U.S. practice of reporting of model/type data for imports and exports;
- Encouraging reporting of procurement through national production (PTNP) and military holdings on the same basis as imports and exports (i.e., "request" vice "invite" Member States to provide such information) in a manner consistent with existing U.S. reporting practices but ensuring that such reporting is not required for SA/LW);
- Ensuring that transfers of armed unmanned aerial vehicles are reported to the Register as a separate category or sub-category;
- Making other technical adjustments and/or refinements to the existing categories; and
- Maintaining the Register's exclusive focus on conventional weapons.

END SUMMARY

***** ***

14. (SBU) Procedural aspects of the Register:

-- U.S. Expert should once again seek language in the final report encouraging bilateral, multilateral, regional, and sub-regional consultations to discuss individual submissions of data. This step would increase the confidence-building value of the information annually exchanged and help promote greater participation in all aspects of the Register. (This does not imply assessments of the data by the UN or regional organizations.)

-- Any measures to strengthen UN Office of Disarmament Affairs (ODA) support of the Register and to raise the Register's profile and accessibility should be done within existing resources.

15. (SBU) Adjustments and refinements to existing categories:

-- The United States supports proposals to ensure the Register is relevant to current security concerns. Harmonizing the Register's reporting requirements with those contained in other regimes, such as the Wassenaar Arrangement, may decrease the amount of work required to fulfill the different reporting obligations. However, this must be balanced against the different goals in the various regimes. As such, the U.S. can support the following:

Category IV (combat aircraft):

-- See para 7 below for discussion of either seeking a new category for reporting of UAV transfers or, as a fall-back, amending this category by adding a sub-category of "Armed Unmanned Aerial Vehicles" and changing the category name to "Combat Aircraft and Armed Unmanned Aerial Vehicles".

Category VI (naval warships):

-- The U.S. supports lowering the ship tonnage to the Wassenaar level of 150 metric tons.

Category VII (missiles and missile launchers):

-- At the 1992, 1994, 1997, and 2000 GGEs, the U.S. supported reducing the missile range limit from 25 km to 20 km. However, in 2003 and 2006, to ensure consistency with Wassenaar reporting, the U.S. did not pursue a lower range threshold. The U.S. will not seek or support a lower range threshold this year.

-- The U.S. supports including all surface-to-air missiles (SAMs) in the missile category. Currently this category only includes MANPADS, which were added to the Register in 2003. China will most likely continue to oppose adding all SAMs.

Adjustments to other categories:

-- The U.S. continues to be unable to support the UK proposal to adjust the definitions in the existing categories to better track with the equipment reported to Wassenaar. The U.S. is concerned that these changes could have a negative impact on efforts to increase participation in the Register by making it appear too complex for countries with limited national capacity for tracking transfers of defense equipment. The UK has proposed modifying the Register definitions in:
(A) Category II (Armored Combat Vehicles) to include observation, reconnaissance, target designator ACVs, tank transporters, armored recovery vehicles, and amphibious deep water fording vehicles;

(B) Category III (Large-Caliber Artillery Systems) to include gun carriers specifically designed for towing artillery;

(C) Category IV (Combat Aircraft) to include (1) all aircraft (armed or unarmed) designed to perform reconnaissance, command of troops, electronic warfare, electronic and fire suppression of air defense systems, refueling, or air drop missions; (2) unmanned aerial vehicles designed to carry out the missions carried out by combat aircraft under this category; or (3) systems for the control and receiving of information from the unmanned aerial vehicles; and

(D) Category V (Attack Helicopters) to include all military helicopters designed to perform target acquisition, communication, command of troops, or mine laying missions as well as unarmed military helicopters designed, equipped or modified to perform reconnaissance or electronic warfare missions.

***** **
Guidance on Further Development of the Register
(Expansion)
***** **

16. (SBU) Small Arms and Light Weapons (SA/LW):

-- As the Register's categories are increasingly looked to as a template for international arms embargoes (as the UN Security Council did on North Korea and Iran by referring to the Register's categories in the arms embargo resolutions on these countries) and possible international instruments, it is important from a nonproliferation/export control point of view that SA/LW be added to the Register. Greater transparency in the licit transfer of SA/LW will reinforce efforts to curb the illicit proliferation of SA/LW, providing direct benefits to both the U.S. and the international community. The SA/LW community has made clear in the UN Program of Action (POA) to Combat Illicit Trafficking in Small Arms and Light Weapons context that transparency measures on SA/LW transfers are the province of the UN Register, not the POA. SA/LW transfers are currently reported to the Wassenaar Arrangement and the OSCE, but this creates incomplete coverage as Wassenaar only covers transfers to non-Wassenaar members and the OSCE only transfers among OSCE members. Adding SA/LW to the Register will ensure broader global coverage of SA/LW transfers and create a norm for both exporters and importers to report on SA/LW transfers.

-- Momentum in support of adding SA/LW has been steadily building since 2000 to the point where there is a realistic prospect for the 2009 GGE to reach consensus on doing so. Failing to do so could call into question the Register's ability to make headway in increasing participation in Africa, Asia, and the Caribbean Islands portion of Latin America, whose GGE members have cited the Register's failure to include SA/LW as the primary obstacle to increasing participation in these regions.

-- Currently the Register allows Member States to report SA/LW on a voluntary basis as optional background information. Member States "that are in a position to do so [are recommended to] provide data and information on small arms and light weapons transfers to the Register as part of additional background information on the basis of the standardized reporting form...or any other methods they deem appropriate". Since the door was first opened to optional reporting of SA/LW information by the 2003 GGE, 5 Member States reported SA/LW transfers in 2003, 5 in 2004, 4 in 2005, 37 in 2006, and 48 in 2007. The substantial increase in SA/LW reporting in 2006 coincided with the adoption of an optional illustrative reporting form by the 2006 GGE.

-- Reporting SA/LW transfers dominated the GGE discussions in 2000, 2003, and 2006, and will likely do

so in 2009 as well. Most Experts at these GGEs supported adding SA/LW to the Register, arguing that doing so would make the Register more relevant to the security concerns of a broader swathe of countries, but a few key hold-outs (including Russia, China, India, Pakistan, and Israel) directly blocked doing so. The U.S. supported measures to strengthen the Register's contribution to international efforts to combat illicit trafficking in small arms and light weapons, but stopped short of supporting adding it as an eighth category. The U.S. wanted to develop U.S. capacity to implement its existing Wassenaar and OSCE reporting obligations on SA/LW and to observe the extent to which others were willing to report SA/LW transfers (see Ref B). Now that the U.S. has a number of years of experience under its belt in reporting SA/LW transfer data to Wassenaar and the OSCE, and a steadily increasing number of Member States have been reporting SA/LW transfers (rising from 5 Member States in 2003 to 48 in 2007), the U.S. should not oppose adding SA/LW to the Register.

-- The United States can accept adding reporting on transfers of SA/LW to the UN Register. U.S. Expert should oppose efforts to include reporting of military holdings of SA/LW or SA/LW procurement through national production.

-- The U.S. will not begin reporting transfers of SA/LW until the USG takes a separate internal decision to do so.

-- In exploring options for reporting transfers of SA/LW, U.S. Expert should avoid options that would create an onerous reporting burden and discourage broader participation in the Register.

-- Any definition of SA/LW in the Register should be consistent with the OSCE and Wassenaar definitions and should track with the Firearms Protocol and UN Program of Action on SA/LW.

17. (SBU) Armed Unmanned Aerial Vehicles (UAVs):

-- The United States supports reporting transfers of armed UAVs to the Register. At the 2006 GGE, there was substantial discussion of ensuring that UAVs are captured by the UN Register. Some argued that the existing categories already covered UAVs and that no changes were needed to the existing definitions, while others argued that the definitions to Category IV (Combat Aircraft) and V (Attack Helicopters) needed to be changed to include an explicit reference to UAVs. There was also substantial discussion of whether all UAVs should be covered or only armed UAVs.

-- The preferred U.S. approach to the UAV issue is to add a new category of "Armed Unmanned Aerial Vehicles" that would use a definition of "A reusable aerial vehicle, specifically-designed for unmanned flight, armed and equipped to deliver munitions that are not integral components of the vehicle itself." These vehicles are understood to be generally much less capable than those currently reported under Category IV (Combat Aircraft) or Category V (Attack Helicopters). This definition covers fixed or rotary wing vehicles and excludes those with warheads, which might be considered missiles and therefore captured under Category VII (Missiles and Missile Launchers) which explicitly includes some remotely piloted vehicles.

-- As a fall-back, the United States can support amending existing Category IV (Combat Aircraft) by changing the Category to "Combat Aircraft and Unmanned Aerial Vehicles" and adding a sub-category of "Armed Unmanned Aerial Vehicles" with the definition used above. (Note: This definition explicitly distinguishes armed UAVs from manned combat aircraft.) The U.S. expert is instructed to oppose any attempt to

report UAVs that do not carry a weapons load or warhead UAVs or to lump armed UAVs and combat aircraft in one new definition. U.S. Expert should consult with Washington as the definition gets negotiated during the course of the GGE meetings.

¶8. (SBU) Reporting equipment by model and type:

-- The United States continues to support strongly the universal practice of reporting model/type data on transfers (i.e., imports and exports).

¶9. (SBU) Including data on military holdings and procurement through national production (PTNP):

-- U.S. Expert should continue to support expanding the Register to have Member States report military holdings and PTNP on the same basis as transfers (i.e., Member States should be "requested" rather than the current practice of "invited") for the existing seven categories. Reporting military holdings and PTNP on the same basis as imports and exports would capture additional relevant information needed to enhance confidence building and contribute to restraint.

-- Military holdings and PTNP should be defined by the GGE in a consistent and unambiguous way.

-- The U.S. can accept including only PTNP and not military holdings if a consensus emerges to do so.

-- As mentioned in the SA/LW portion of the guidance, the U.S. does not support reporting of SA/LW data on military holdings and procurement through national production. This would create an unacceptable reporting burden for some states and would unnecessarily complicate the SA/LW issue. Continued U.S. support for requiring reporting on military holdings and procurement through national production is contingent on such reporting not including SA/LW data.

¶10. (SBU) Regional Registers:

-- The U.S. recognizes that, in order to include the most threatening weapons in particular regions, regional Registers could be used to achieve fuller transparency. Such Registers could complement the UN Register by responding to the particular needs of states in a region. However, they should not undermine the global Register, and any specific arrangements for regional Registers should be developed in the region by the states concerned.

¶11. (SBU) Adding weapons of mass destruction (WMD) and high technology with military applications to the Register:

-- The 2000 GGE laid this issue to rest in concluding that such items are clearly outside the scope of the Register; U.S. Expert should oppose strongly any attempt to revisit this issue.

¶12. (SBU) Adding ammunition, including cluster munitions:

-- The U.S. opposes adding ammunition to the Register. With the exception of missiles, the Register only includes weapons and weapon systems. Adding ammunition would change the Register from a confidence-building measure to a military planning tool.

CLINTON